

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,
v.

(2) DEMARKO HINKLE,
[DOB: 6-29-1990]

(3) VICTOR WALTON,
[DOB: 6-6-1989]

(4) PETER KUHN,
[DOB: 11-19-1993]

(5) KIMBERLY ROBINSON,
[DOB: 3-22-1985]

and

(6) BRITTANY JONES,
[DOB: 11-27-1991]

Defendants.

(2) HINKLE: 1, 2-17

(3) WALTON: 1, 15, 16, 18, and 19

(4) KUHN: 1, 3-6

(5) ROBINSON: 1, 20

(6) JONES: 1, 21-23

No. 16-3077-02/06-CR-S-BCW

COUNT 1

21 U.S.C. §§ 846 and 841(a)(1) and (b)(1)(B)
NLT 5 Years Imprisonment
NMT 40 Years Imprisonment
NMT \$5,000,000 Fine
NLT 4 Years Supervised Release
Class B Felony

COUNTS 2-11, 15, 17, 19-23

21 U.S.C. § 841(a)(1) and (b)(1)(C)
NMT 20 Years Imprisonment
NMT \$1,000,000 Fine
NLT 3 Years Supervised Release
Class C Felony

COUNTS 12, 13, 14, and 18

18 U.S.C. § 922(g) and 924(a)(2)
NMT 10 Years Imprisonment
NMT \$250,000 Fine
NMT 3 Years Supervised Release
Class C Felony

COUNT 16

18 U.S.C. § 924(c)(1)(A)
NLT 5 Years Imprisonment
Consecutive to Counts 1 and 15
NMT \$250,000 Fine
NMT 5 Years Supervised Release

\$100 Special Assessment (Each Count)

SECOND SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT 1

Beginning on an unknown date, but no later than January 1, 2012, and continuing to on or about February 25, 2016, said dates being approximate, in Greene County and Webster County, in the Western District of Missouri, and elsewhere, the defendants, **DEMARKO HINKLE**, **VICTOR WALTON**, **PETER KUHN**, **KIMBERLY ROBINSON**, and **BRITTANY JONES** knowingly and intentionally conspired and agreed with one another and with persons, known and unknown to the Grand Jury, to distribute 100 grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 846 and 841(a)(1) and (b)(1)(B).

COUNT 2

On or about October 9, 2014, in Greene County, in the Western District of Missouri, the defendant, **DEMARKO HINKLE**, knowingly and intentionally possessed, with the intent to distribute, a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT 3

On or about November 6, 2014, in Greene County, in the Western District of Missouri, the defendants, **DEMARKO HINKLE** and **PETER KUHN**, aiding and abetting one another, knowingly and intentionally distributed a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 4

On or about November 12, 2014, in Greene County, in the Western District of Missouri, the defendants, **DEMARKO HINKLE** and **PETER KUHN**, aiding and abetting one another, knowingly and intentionally distributed a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 5

On or about November 24, 2014, in Greene County, in the Western District of Missouri, the defendants, **DEMARKO HINKLE** and **PETER KUHN**, aiding and abetting one another, knowingly and intentionally distributed a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 6

On or about December 2, 2014, in Greene County, in the Western District of Missouri, the defendants, **DEMARKO HINKLE** and **PETER KUHN**, aiding and abetting one another, knowingly and intentionally distributed a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 7

On or about January 12, 2015, in Greene County, in the Western District of Missouri, the defendant, **DEMARKO HINKLE**, knowingly and intentionally distributed a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT 8

On or about January 15, 2015, in Webster County, in the Western District of Missouri, the defendant, **DEMARKO HINKLE**, knowingly and intentionally distributed a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT 9

On or about January 28, 2015, in Greene County, in the Western District of Missouri, the defendant, **DEMARKO HINKLE**, knowingly and intentionally distributed a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT 10

On or about March 24, 2015, in Greene County, in the Western District of Missouri, the defendant, **DEMARKO HINKLE**, knowingly and intentionally distributed a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT 11

On or about April 1, 2015, in Greene County, in the Western District of Missouri, the defendant, **DEMARKO HINKLE**, knowingly and intentionally distributed a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT 12

On or about April 7, 2015, in Greene County, in the Western District of Missouri, the defendant, **DEMARKO HINKLE**, having been convicted of a crime punishable by imprisonment

for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, a firearm to wit: an FIE, Model TEX22, .22-caliber revolver, with assigned serial number TR11756, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 13

On or about April 22, 2015, in Greene County, in the Western District of Missouri, the defendant, **DEMARKO HINKLE**, having been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, a firearm, to wit: a Springfield, Model XD40, .40-caliber pistol, with assigned serial number US179688 in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 14

On or about April 28, 2015, in Greene County, in the Western District of Missouri, the defendant, **DEMARKO HINKLE**, having been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, firearms to wit: a Dan Wesson Arms, Model 22, .22-caliber revolver, with assigned serial number 9106; and an Armscor of the Philippines, model AK22, .22 caliber rifle, with assigned serial number A750605, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 15

On or about April 28, 2015, in Greene County, in the Western District of Missouri, the defendants, **DEMARKO HINKLE** and **VICTOR WALTON**, aiding and abetting each other, knowingly and intentionally distributed a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT 16

On or about April 28, 2015, in Greene County, in the Western District of Missouri, the defendants, **DEMARKO HINKLE** and **VICTOR WALTON**, aiding and abetting each other, knowingly possessed firearms, to-wit: a Dan Wesson Arms, Model 22, .22-caliber revolver, with assigned serial number 9106; and an Armscor of the Philippines, model AK22, .22 caliber rifle, with assigned serial number A750605, in furtherance of the offense of conspiracy to distribute one hundred (100) grams or more of a mixture or substance containing a detectable amount of heroin as alleged in Count 1; and distribution of a mixture or substance containing a detectable amount of heroin as alleged in Count 15; in violation of Title 18, United States Code, Section 924(c)(1)(A) and Title 18, United States Code, Section 2.

COUNT 17

On or about September 30, 2015, in Greene County, in the Western District of Missouri, the defendant, **DEMARKO HINKLE**, knowingly and intentionally distributed a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT 18

On or about May 29, 2013, in Greene County, in the Western District of Missouri, the defendant, **VICTOR WALTON**, then being an unlawful user of controlled substances, that is methamphetamine and marijuana, knowingly possessed, in and affecting interstate commerce, firearms, that are,

- 1) a Smith and Wesson, model SW9VE, 9 mm pistol, with assigned serial number DVV5860;
- 2) a Jimenez Arms, model J.A. Nine-CA, 9 mm pistol, with serial number 008259;

- 3) EAA, model EA380, .380-caliber pistol, with serial number AE50589;
- 4) a Hi-Point, model 4095, .40-caliber rifle, with serial number H25448;
- 5) a Keltec, model Sub 2000, .40-caliber rifle, with serial number E6X21; and
- 6) a New England Firearms, model Pardner SB1, 12-gauge shotgun, with serial number NF268477.

all of which have been transported in interstate commerce, in violation of Title 18, United States Code, Section 922(g)(3) and 924(a)(2).

COUNT 19

On or about September 9, 2014, in Greene County, in the Western District of Missouri, the defendant, **VICTOR WALTON**, knowingly and intentionally possessed, with the intent to distribute, a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT 20

On or about June 12, 2013, in Greene County, in the Western District of Missouri, the defendant, **KIMBERLY ROBINSON**, knowingly and intentionally possessed, with the intent to distribute, a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT 21

On or about May 15, 2014, in Greene County, in the Western District of Missouri, the defendant, **BRITTANY JONES**, knowingly and intentionally distributed a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT 22

On or about May 22, 2014, in Greene County, in the Western District of Missouri, the defendant, **BRITTANY JONES**, knowingly and intentionally distributed a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT 23

On or about June 10, 2014, in Greene County, in the Western District of Missouri, the defendant, **BRITTANY JONES**, knowingly and intentionally distributed a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

A TRUE BILL

/s/ Gary Tombridge _____
FOREPERSON OF THE GRAND JURY

/s/ Josephine M. Larison _____
Josephine M. Larison
Special Assistant United States Attorney

DATED: 01/17/2017
Springfield, Missouri